IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.26186 of 2008
MADAN SAH
Versus
STATE OF BIHAR
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2 23.7.2008. Heard counsel for the petitioner and the State.

Offence alleged is under section 47(A) of the Excise Act.

Counsel for the petitioner submits that the seizure list is indicative of this fact that 280 liters of illicit liquor were recovered from the orchard situated behind the house of petitioner and his brother and a gallon of 20 liters from their house. It has also been submitted that much before institution of the case the petitioner has given information to the Officer Incharge of Gopalganj P.S. that he resides in the house which is jointly been occupied by his brother. So far his portion is concerned that is situated in southern eastern side. In the informatory petition he has also made statement that he has no connection with the business affairs of his brother.

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Considering the aforesaid fact prayer for anticipatory bail is allowed. The petitioner namely Madan Sah is directed to surrender before the Judicial Magistrate, 1st Class, Gopalganj within four weeks from today and on his so surrendering he shall be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class Gopalganj in connection with Excise case no.25 of 2007 subject to the condition as laid down under Section 438(2) Cr.P.C.

(Mridula Mishra, j)

Sss/-